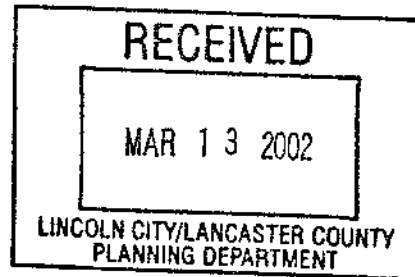


March 11, 2002

Lancaster County Planning Commission
555 South 10th Street
Lincoln, NE 68508



Ladies & Gentlemen:

My name is Dave Grant, I live at 1200 Branched Oak Road, Davey, Nebraska. I am a landowner and operate a cow-calf herd from there. I am a past president of the Northwest Lincoln Community Association (Belmont area). I have lived all of my life in the Lincoln and Lancaster County area. My career has been in the trucking industry for the past 37 years.

It has been very interesting to watch Lincoln grow over the past 40 years. Some 30 years ago when the Comprehensive Plan was brought forth the catch phrase then was **Concentric Growth**. Unfortunately Concentric Growth was just a catch phrase! Little was done to foster concentric growth. The growth north, northwest and southwest has taken far too long compared to the growth that goes south and southeast.

The proposed density level of 8 DU's per section is violating one of the things that this country prides itself on, free market and the right to do with your property what you want. This proposal will surely erode the value in our property. Lincoln is growing, since Lincoln reached the 200,000-population mark growth will be faster and greater than ever. Which means more people will want to live in the country.

If this proposal of 8 DU's per section passes you will have stopped growth in this northern half of the county. That means no additional tax base to help school districts, road repairs, and infrastructure for Norris Public Power and Lincoln Electric System who provide power to county residents.

To limit the density will reduce the value of many property owners. This is a direct impact to my operation since banks loan money on collateral. Less value = less loan money = less expansion. The tax loss to the northern end of Lancaster County is unwarranted and will cause years of problems for school districts and possible closings as seen in the Weeping Water area east of Lincoln.

Moser Well Drilling of Firth, Nebraska provided well reports that are on file with the State of Nebraska. Shortage of water in northern Lancaster County is not as bleak as the Work-In-Progress would have you believe. People build where they can get water, both quality and quantity. Banks are wise enough to know you do not loan on acreages unless water is there. I have found many well reports that show 20 to 30 G.P.M. in the northern part of the county.

My other concern with this proposal is the outward migration of people wanting to live in the country. Saunders, Seward and Cass Counties are anxious for these people to build their dream homes. Many acreages are building upscale houses, \$250,000 to \$300,000 homes are becoming commonplace. Saunders County is 8 miles from Waverly Road. Waverly Road is the 3-mile limit for the city of Lincoln's jurisdiction on zoning. Saunders County is allowing 5-acre parcels to be developed. In 15 minutes you can be in



Saunders County from 27th and Superior Street, this is an easy commute if your desire is to have a smaller acreage.

The build through problem Mike DeKalb eluded to does not happen that often. The tools are already in place for the Planning Department to utilize and remedy these situations. We don't need to reinvent the wheel!

Through the years in my trucking career I have seen many cities and noticed development in other locales. While Lincoln has no urban sprawl, Lincoln's track record for Concentric Growth has not been stellar over the last 30 years. It is discriminatory to spur development to the south and southeast at our expense. I would ask that you amend this proposal and keep the 20-acre density level as it is. I believe Ann Landers had the saying "If it's not broke, why fix it!"

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Grant", with a long horizontal flourish extending to the right.

Dave Grant
1200 Branched Oak Road
Davey, NE 68336

Enclosures

Assessed Valuation Comparison

Figures were taken from the Lancaster County Assessors website titled "Property Information". From these work sheets I have listed 6 sections of ground, Little Salt Sec. 34, 35, 36, 25, 26 and 27. These sections are bounded by Davey Road on the north, West 12th Street on the west, Raymond Road on the South and 27th Street to the east. I live in Section 26. As I broke down the assessed valuations for these 6 sections of ground I noticed we had a mix of acreages, farm ground and pasture. Section 27 and 36 each have 3 farmsteads per section and no acreages. Section 27 has more pasture in it while Section 36 has more farm ground. Section 26 has 6 farms from 80 acres to 160 acres in size, 5 farmsteads with one of them not occupied. This section also has 14 acreages and 4 lots available that are owned by the adjoining acreage owners. Section 35 has 4 farms, 7 acreages over 22 acres in size, 5 acreages less than 20 acres in size and 6 acreages undeveloped. Section 25 has 6 farms in size from 33.27 acres to 157.53 acres, 4 farms in size from 20.89 to 24.41 acres (large acreages). This section also has 5 acreages in size from 3 acres to 19 acres. Section 34 has 6 parcels of farm ground ranging in size from 20.1 to 139.9 acres. Acreages located on Raymond Road and 1st Street range in size from 5.19 to 9.82 acres. Nature Conservancy also has 3 parcels of ground 38.96, 98.45 and 56.94 acres.

Utilizing the assessed valuations I calculated what we had per section for a tax base. These figures appear as current assessed values. I also turned the clock back 30 years and put in the proposed 8 DU's per section to show what these sections would look like today. Please note the loss of tax base, not to mention the resources spent for materials to build, labor, site prep and other incidental expenses (see attached sheets).

SECTION 25

2002 Current Assessed Value \$2,004,790.00

| Land Owner | Acres | Assessed Value |
|---|---------------|------------------------|
| Tracy Truax | 151.75 | \$ 295,308.00 |
| David Bratcher | 33.22 | \$ 40,715.00 |
| Christopher Collins | 4.37 | \$ 142,142.00 |
| Rick Sundeen | 19.04 | \$ 160,820.00 |
| Thomas Sears | 3.00 | \$ 94,270.00 |
| Gary Bergman | 6.78 | \$ 128,150.00 |
| Gary Stepanek | 10.00 | \$ 111,871.00 |
| Dale Sundeen | 26.89 | \$ 133,642.00 |
| Randall Dean | 21.00 | \$ 16,017.00 |
| Michael Eden (land only) | 76.69 | \$ 56,384.00 |
| Alex Nagel | 157.53 | \$ 120,466.00 |
| Michael Sears | 36.90 | \$ 29,607.00 |
| Proposed 8 DU's/Section | 547.17 | \$ 1,329,392.00 |
| Michael Eden | 52.28 | \$ 247,741.00 |
| Jim Richard | 24.41 | \$ 209,809.00 |
| Jeff Atkinson | 21.00 | \$ 217,848.00 |
| Acreages that would not exist | 97.69 | \$ 675,398.00 |
| Adjustment for 97.69 acres @ ag value of \$303/acre | | \$ (29,600.00) |
| LOSS IN ASSESSED VALUE | | \$ 645,798.00 |

SECTION 26

2002 Current Assessed Value \$3,208,192.00

| Land Owner | Acres | Assessed Value |
|---|---------------|------------------------|
| Ervin Steyer | 74.82 | \$ 148,808.00 |
| Orin Graff | 80.00 | \$ 166,782.00 |
| John Huck | 80.00 | \$ 132,853.00 |
| Dave Grant | 80.00 | \$ 207,065.00 |
| Marilyn Luedtke | 160.00 | \$ 219,150.00 |
| Howard Newman | 5.18 | \$ 89,780.00 |
| Eddie Davis | 3.50 | \$ 101,090.00 |
| Harvey Strizek | 3.50 | \$ 133,870.00 |
| Lesac & Stanesie | 80.00 | \$ 57,080.00 |
| Brian Dose (land only) | 5.75 | \$ 24,833.00 |
| Harvey Strizek (land only) | 3.24 | \$ 23,650.00 |
| Michael Ketterer (land only) | 3.66 | \$ 17,738.00 |
| Proposed 8 DU's/Section | 579.65 | \$ 1,322,699.00 |
| William Rockemann | 4.12 | \$ 187,550.00 |
| Norman McFarling | 3.12 | \$ 132,880.00 |
| Michael Ketterer | 4.23 | \$ 184,690.00 |
| Gene Meedel | 4.03 | \$ 142,890.00 |
| Charles Kohles | 3.40 | \$ 179,410.00 |
| Delwin Krohn | 4.00 | \$ 149,941.00 |
| Sue Maguire | 3.29 | \$ 170,940.00 |
| Douglas Brouillette | 3.40 | \$ 146,410.00 |
| Tim Eklund | 3.08 | \$ 202,841.00 |
| Richard Greb | 3.29 | \$ 204,930.00 |
| Richard Greb | 3.30 | \$ 41,441.00 |
| Dennis Buesing | 3.08 | \$ 141,570.00 |
| Acreages that would not exist | 42.34 | \$ 1,885,493.00 |
| Adjustment for 42.34 acres @ ag value of \$303/acre | | \$ (12,829.00) |
| LOSS IN ASSESSED VALUE | | \$ 1,872,664.00 |

SECTION 34**2002 Current Assessed Value \$2,131,682.00**

| Land Owner | Acres | Assessed Value |
|---|---------------|------------------------|
| Elsie Hermone | 139.90 | \$ 51,746.00 |
| Donald Krass | 40.00 | \$ 161,466.00 |
| Stephen Schlfe | 20.01 | \$ 149,379.00 |
| George Johnson | 9.62 | \$ 158,620.00 |
| Charles Brown | 9.62 | \$ 144,100.00 |
| Robert Cochle | 5.19 | \$ 157,190.00 |
| Marvin Gray | 5.19 | \$ 189,859.00 |
| Roland Temme | 9.62 | \$ 207,240.00 |
| Elsie Hermone | 80.00 | \$ 46,690.00 |
| Earl Allen | 66.68 | \$ 20,227.00 |
| Harry Barr | 49.62 | \$ 12,794.00 |
| Nature Conservancy | 38.76 | \$ 13,270.00 |
| Nature Conservancy | 78.45 | \$ 24,214.00 |
| Nature Conservancy | 56.94 | \$ 11,906.00 |
| Proposed 8 DU's/Section | 609.60 | \$ 1,348,701.00 |
| | | |
| Dan Sloey | 5.19 | \$ 155,540.00 |
| Matthew Ring | 5.86 | \$ 219,340.00 |
| Joseph Workman | 7.07 | \$ 257,841.00 |
| Clay Keller | 5.70 | \$ 150,260.00 |
| Acreages that would not exist | 23.82 | \$ 782,981.00 |
| Adjustment for 23.82 acres @ ag value of \$303/acre | | \$ (7,217.00) |
| LOSS IN ASSESSED VALUE | | \$ 775,764.00 |

SECTION 35**2002 Current Assessed Value \$2,224,208.00**

| Land Owner | Acres | Assessed Value |
|---|---------------|------------------------|
| Hildegard Nagel | 160.00 | \$ 223,861.00 |
| Wesley Hornung | 59.85 | \$ 112,377.00 |
| Frank Kissinger | 144.79 | \$ 360,706.00 |
| Clay Heerman | 10.10 | \$ 109,670.00 |
| Thomas Donahue | 5.10 | \$ 164,670.00 |
| Nick Grauwels | 39.77 | \$ 138,157.00 |
| Doug Bloom | 22.36 | \$ 243,310.00 |
| William Mueller | 22.37 | \$ 261,446.00 |
| Mark Gutierrezbecher | 22.23 | \$ 8,694.00 |
| Robert Pederson | 22.04 | \$ 20,248.00 |
| Mark Haeffner (land only) | 22.03 | \$ 24,385.00 |
| Mark Gutierrezbecher | 22.03 | \$ 33,619.00 |
| Saguaro Tech | 19.84 | \$ 5,589.00 |
| Thomas Donahue (land only) | 12.92 | \$ 19,186.00 |
| Proposed 8 DU's/Section | 585.43 | \$ 1,725,918.00 |
| | | |
| Steven Blum | 24.53 | \$ 261,044.00 |
| Mark Willet | 19.85 | \$ 237,246.00 |
| Acreages that would not exist | 44.38 | \$ 498,290.00 |
| Adjustment for 44.38 acres @ ag value of \$303/acre | | \$ (13,447.00) |
| LOSS IN ASSESSED VALUE | | \$ 484,843.00 |

SECTION 27**2002 Current Assessed Value \$965,728.00**

| Land Owner | Acres | Assessed Value |
|-----------------------------|---------------|-----------------------|
| Charles Schmidt | 80.00 | \$ 390,725.00 |
| Del King | 60.00 | \$ 180,330.00 |
| Tim Kaiser | 20.00 | \$ 150,920.00 |
| Lillie Larsen | 77.95 | \$ 27,187.00 |
| Clara Johnson | 80.00 | \$ 37,604.00 |
| Clara Johnson | 160.00 | \$ 69,000.00 |
| Larry White | 61.00 | \$ 40,792.00 |
| Cristina Mumm | 40.00 | \$ 48,000.00 |
| Charles Schmidt | 40.36 | \$ 15,390.00 |
| Charles Schmidt | 20.00 | \$ 5,780.00 |
| TOTAL ASSESSED VALUE | 639.31 | \$ 965,728.00 |

Ag Land-No Loss in Valuation**SECTION 36****Current Assessed Value \$940,964.00**

| Land Owner | Acres | Assessed Value |
|-----------------------------|---------------|-----------------------|
| Alex Nagel | 160.00 | \$ 306,578.00 |
| Thomas Nickel | 38.38 | \$ 226,151.00 |
| Charles Maly | 40.00 | \$ 124,335.00 |
| Charles Maly | 80.00 | \$ 68,814.00 |
| State Land | 40.00 | \$ 27,609.00 |
| Alex Nagel (land only) | 155.59 | \$ 109,712.00 |
| State Land | 40.00 | \$ 25,380.00 |
| State Land | 77.30 | \$ 52,385.00 |
| TOTAL ASSESSED VALUE | 631.27 | \$ 940,964.00 |

Ag Land-No Loss in Valuation

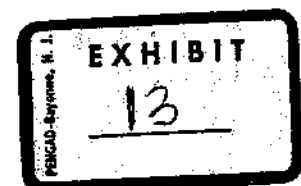
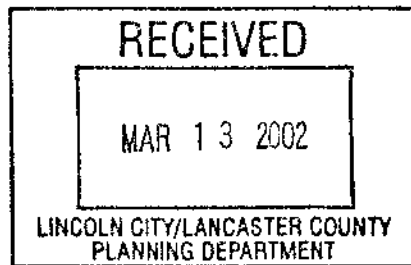
My name is Ross McCown. I am vice-president of NEBCO, Inc. NEBCO is developing a large residential area at 1st Street and Highway 34, and we are opposed to heavy industrial zoning on the north side of 34 opposite from Kawasaki.

The smokestacks and truck traffic of heavy industrial sites are not compatible with the low density and gracious amenities of developments such as Fallbrook. Although the Kawasaki area is some distance to the west of Fallbrook, it would not be unheard of for heavy industrial zoning to jump NW 27th and to creep up the hill toward Fallbrook. In our view, that would be tragic.

Fallbrook will contain a public school site. The University Alumni Association plans to develop a golf course north of Fallbrook, and an assisted living facility in conjunction with it. None of these uses would benefit from proximity to heavy industry.

It is NEBCO's position that there should be no heavy industrial zoning at all on the north side of Highway 34 north of Kawasaki, and that the appropriate use of the property would be at most light industrial and preferably highway commercial. Further, there should be absolutely no creep of any zoning other than residential east of NW 27th Street along Highway 34.

Thank you very much.



Proposal #13

| Applicant | Location | Proposal |
|--|---------------------------------|--------------------------------------|
| Tom Huston for Alan Baade | S. 82 nd & Roca Road | 120 acres as Low Density Residential |
| Recommendation: Area should remain designated for agriculture use in conformance with the proposed Acreage Policy, the goals of the Comprehensive Plan and the Hickman Horizon Plan. | | |

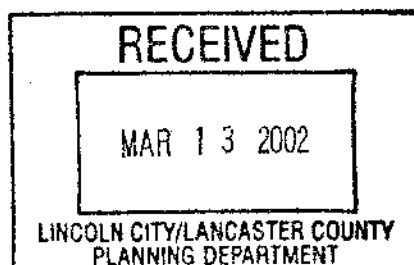
Status/Description

This property is on the northwest corner of 82nd and Roca Road. It is within one mile of the Hickman jurisdiction. Roca Road is paved to rural standards and S. 82nd Street is gravel. This land is within the Lancaster County Rural Water District #1 and appears to be in the drainage basin that drains into Wagon Train Lake. There is an area designated as Residential Low Density to the southwest, across Roca Road. There are not any acreage subdivisions within the square mile of this proposal.

Comprehensive Plan Implications

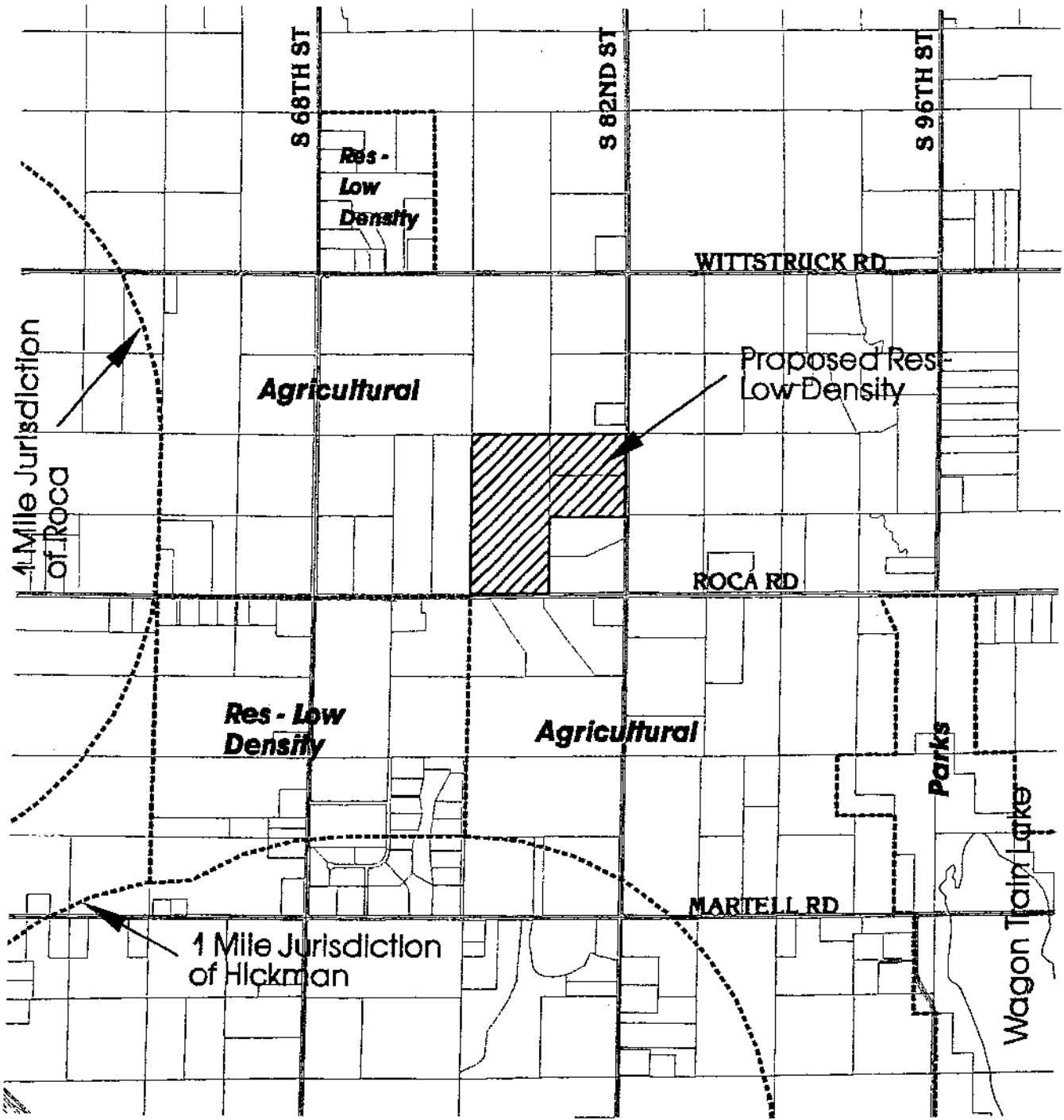
This land is designated in the current Comprehensive Plan as agricultural. In the proposed Acreage Policy this land is "Area B Southeast" where the proposal states "selected focus areas for higher acreage density to be defined with neighboring towns: 32 to 200 dwelling units per square mile."

The neighboring town, Hickman, has already adopted a plan and with their intention for this area. This property is within the area of the Hickman Horizon Plan which is recommended for approval as a subarea plan of the Lincoln/ Lancaster County Comprehensive Plan in Proposal #13. Dennis Heckman, Mayor of Hickman states that their "Hickman Horizon Plan, along with the rest of our Comprehensive Plan, encourages new residential development within the City and discourages new rural acreage designations and developments within the two mile radius." Thus this property should remain in agricultural use.






December 7, 2001





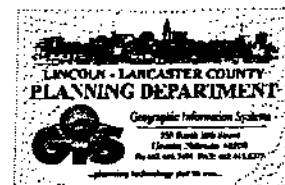
S 82nd & Roca Rd

Comprehensive Plan Proposal # 13

-  CPC Future Service Limit
-  Land Use Boundary
- Res** Land Use Category
-  From Agricultural to Res - Low Density



Scale: 1 inch = 2500 feet



LAW OFFICES OF
CLINE, WILLIAMS, WRIGHT, JOHNSON & OLDFATHER, L.L.P.

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AURORA, NEBRASKA 68818
(402) 694-6314

August 14, 2001

Mr. Mike DeKalb
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln NE 68508

Re: Lincoln and Lancaster County
Comprehensive Plan 2025 – Acreage Development

Dear Mike:

I represent Alan Baade, who owns approximately 120 acres located generally at the northwest corner of Roca Road and South 82nd Street. The property owned by Mr. Baade is located in the southeast Quarter of Section 15, T8N, R7E (the "Baade Property"). My client asked me to contact you to provide input to the Comprehensive Plan Committee (the "Committee") regarding the acreage development policy. My client would desire to develop his 120 acres into residential development under a low-density residential designation. Due to the fact that his land is very marginal farm ground, my client believes that it would be more beneficially used as acreage development because it is adjacent to a surfaced road.

I have reviewed the future growth plan options labeled Future A, Future B, and Future C on the Planning Department's website. As an aside, I really appreciate the ability to obtain all of the information being used by the Committee via the Planning Department's web access.

In reviewing Future Plans A, B, and C, I would request different treatment for my client's property on the northwest corner of the South 82nd and Roca Road intersection. The Future Plan A shows the Baade Property in the Tier 3 for

August 14, 2001
Page 2

acreage development. The Future Plan B shows the Baade Property in the Plan Vision Tier III. The Future Plan C shows that the Baade Property would be designated as "Agriculture -Low Density Acreage". I am not sure what this designation means, but it is distinguished from "very low density acreage" found elsewhere on the Future Plan C.

On behalf of my client, I would request that my client's property at the northwest corner of the intersection of South 82nd and Roca Road be designated in the Comprehensive Plan to permit low-density residential development. This would permit my client to develop the property in accordance with his plans for acreage development.

I recognize that the Committee has not yet formulated its recommendation on which of the three Future Plans should serve as the blueprint for the County. Further, I am presuming that the County will retain the three-acre minimum lot size in a zone identical or similar to the AGR Zone existing now. However, my client wanted his preferences known by the Committee. We appreciate the opportunity to provide our comments to you and the Committee.

Should you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Huston", written in a cursive style.

Thomas C. Huston
For the Firm

c: Alan Baade
Lyle Loth

396825.1

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(402) 894-6314

January 16, 2002

Mr. Steven Henrichsen
Lincoln-Lancaster County Planning Department
555 South 10th Street
Lincoln NE 68508

Re: Proposal #13 to the Comprehensive Plan
for Alan Baade

Dear Steve:

I received a copy of the preliminary proposal review for Proposal #13 I submitted on behalf of Alan Baade for property located generally at South 82nd and Roca Road. As I had described in my earlier submittal, the property owned by Mr. Baade should be considered for low density residential development and should be eligible for the equivalent of an AGR Agricultural Residential zoning classification.

The preliminary proposal review indicates that the area should remain designated for agricultural use, due primarily to the Hickman Horizon plan. It is the position of my client that Hickman's Horizon Plan and its attempt to control development within two miles of their corporate boundaries exceeds Hickman's statutory authority. Further, Lancaster County cannot do indirectly for Hickman what Hickman cannot do for itself directly.

Hickman's extraterritorial jurisdiction is granted by Neb. Rev. Stat. § 17-1001 (Reissue 1997), which states in pertinent part:

Cities of the second class and villages may apply by ordinance any existing or future zoning ordinances, property use regulation ordinances, . . . to an area within one mile of the corporate limits of such municipality with the same force and effect as if such area were within their corporate limits.

Thus, pursuant to the enabling legislation of the State of Nebraska, Hickman does not have the power to control land use regulations beyond the one-mile jurisdictional limit of the statute. The property owned by Mr. Baade is beyond the one-mile

January 16, 2002
Page 2

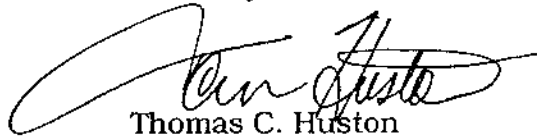
extraterritorial jurisdiction of Hickman and Hickman cannot control or regulate the development of this property.

Further, Lancaster County cannot do indirectly for Hickman which Hickman cannot do directly for itself. The enabling legislation for counties is found at Neb. Rev. Stat. § 23-114 (Reissue 1997). It is clear that under subsection 6 of this enabling legislation that counties do not have zoning authority over the corporate limits and extraterritorial jurisdiction of cities and villages within the county which have been granted and are exercising their zoning jurisdiction. Further, §23-114 does not empower Lancaster County to, in essence, extend the extraterritorial jurisdiction of Hickman as is being attempted under the comprehensive plan amendment that would give credence to the Hickman Horizon Plan.

Thus, if the Hickman Horizon Plan is disregarded, as it should be legally under the enabling legislation for the State of Nebraska, the proposal by Mr. Baade for his property at 82nd and Roca Road complies with the requirements in the proposed acreage development policy. This land is located in the "Area B Southeast" area in which the comprehensive plan acreage development policy recognizes that higher acreage density is compatible. This Area B is so designated because of the poor soils and access to paved roads. Further, the preliminary proposal review acknowledges that the land is within the Lancaster County Rural Water District No. 1. The proposal review also acknowledges that the property has access to Roca Road, which is a surfaced roadway. Due to the fact that it is marginal farm ground, the property would be more appropriately designated for low density acreage development and thus, on behalf of my client, I renew the request that this property be designated for low density residential.

Should you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Huston", written over a horizontal line.

Thomas C. Huston
For the Firm

Testimony for the Lincoln/Lancaster County Planning Commission
Draft Comprehensive Plan
13 March 2002

by Joe Gabig, 4835 Knox ST, Lincoln 68504

I will primarily address the narrow issue of the use of buffers to protect the values of green space. But I will also touch on the broader philosophies that must be selected to drive the environmental health of the community.

A buffer or buffer zone cushions or reduces the effect of an action on a component of the environment. They can be created by distance, vegetation, technology, physical barriers or regulations that limit activities and might be used to control or reduce the effects of light, disturbance, noise, pollutants (run-off) or floods. These factors might affect plants, animals - including humans, water quality and quantity or recreation.

Buffers can influence events which can affect the environment at all levels including individual animals, populations, communities of animals - including humans - and plants and ecosystems.

There can be no general application of buffer methodology for natural areas although guidelines can be found in the literature. The extent and selection of buffer type is dependent on the management objectives of the area to be protected from external events. Different actions (buffers) would need to be taken if the management objective was to maintain a certain level of bio-diversity than if the objective was to maintain a certain number of species. Objectives such as reducing pollutants in a run-off event and shading a stream to reduce water temperature would require different buffers.

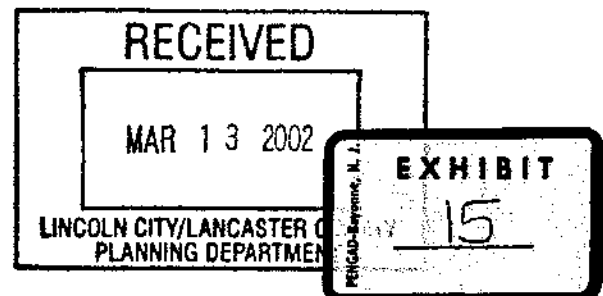
Wilderness Park is a buffer. The Park buffers the human community from everyday stresses, the city from floods, and 24 species of amphibians and reptiles, 42 species of mammals and 20 species of fish from many of man's action and activities. And, while I am in no way suggesting that most buffers need to be as large as Wilderness Park, the management of land, land use and vegetation beyond the park boundary, and in other natural areas, plays an important role in the values provided by the Park and those areas. Management of these lands and the extent of that management can be controlled through zoning regulations, easements or purchase.

Please keep the use of buffers as a management tool in the Comprehensive Plan.

Now for some brief philosophy.

In November 2000, the Sigma Group reported on an opinion survey of Lancaster County residents. Here are a few quotes from that report: "Residents revealed a mind-set largely oriented toward preserving natural resources and existing neighborhoods as Lincoln is developed in the future. ... Seven out of eight respondents (nearly 90%) said that the city should not allow development in an area if it would impact important natural resources. ... When area residents were asked how important each of 22 potential objectives was as the City and County establishes priorities for the future, a highly environmental mind-set was again revealed."

I believe that community leaders, with whom you are included, should abide by what the citizens have said they want and provide for the long-term environmental and economic health of the community and surrounding land. The alternative is to provide for the short-term financial return to a few individuals at the expense of the rest of the taxpayers and investing in the real world that drives long-term survival.



Animal Inventory of Wilderness Park
Lancaster County, Nebraska
P. Joe Gabig
4835 Knox St, Lincoln 68504
January 2000

There does not appear to be an inventory of invertebrate or terrestrial vertebrate animals that occur in Wilderness Park. However, there is an inventory of wildlife in Lancaster County created by Dr. Ron Case for the Lincoln-Lancaster County Ecological Advisory Committee (Case 1990). In addition, there is data regarding the fish resource in Salt Creek from Nebraska Game and Parks Commission (NGPC) (Maret and Peters 1980). Information about the endangered Salt Creek Tiger Beetle is also available from NGPC.

Case (1990) reported that 32 species of amphibians and reptiles occur in Lancaster County. Given the brief description about the range of these species, it is reasonable to conclude that at least eight are not likely to occur in Wilderness Park. Most of the remaining 24 species likely occur in the Salt Creek drainage south of Lincoln if not within the Park boundary. Those 24 species are:

Reptile and Amphibian Species That Likely Occur In or Near Wilderness Park

| Common Name | Scientific Name |
|---------------------------------|---|
| Tiger Salamander | Ambystomatidae <i>Ambystoma trigrinuim</i> |
| Northern Cricket Frog | Hylidae <i>Acris crepitans</i> |
| Western Gray Treefrog | H. <i>Hyla chrysoscelis</i> |
| Western Striped Chorus Frog | H. <i>Pseudacris triseriata</i> |
| Great Plains Toad | Bufo <i>Bufo cognatus</i> |
| Rocky Mountain Toad | B. <i>B. woodhousii</i> |
| Plains Leopard Frog | Ranidae <i>Rana blairi</i> |
| Bull Frog | R. <i>R. catesbeiana</i> |
| Plains Spadefoot Toad | Pelobatidae <i>Spea bombifrons</i> |
| Snapping Turtle | Chelydridae <i>Chelydra serpentina</i> |
| Painted Turtle | Emydidae <i>Chrysemys picta</i> |
| Spiny Softshell | Trionychidae <i>Trionyx spiniferus</i> |
| Six-lined Racerunner | Scincidae <i>Cnemidophorus sexlineatos</i> |
| Prairie Skink | S. <i>Eumeces septentrionalis</i> |
| Blue or Green Racer | Colubridae <i>Coluber constrictor</i> |
| Prairie Kingsnake | C. <i>Lampropeltis calligaster</i> |
| Common Kingsnake | C. <i>L. getulus</i> |
| Milk Snake | C. <i>L. triangulum</i> |
| Bull Snake | C. <i>Pituophis catenifer</i> |
| Common or Northern Watersnake | C. <i>Nerodia sipedon</i> |
| Graham's Watersnake | C. <i>Regina grahami</i> |
| Brown Snake | C. <i>Storeria dehayi</i> |
| Plains Gartersnake | C. <i>Thamnophis radix</i> |
| Common or Red-sided Gartersnake | C. <i>Thamnophis sirtalis</i> |
| Ringneck Snake | Viperidae Crotalinae <i>Diadophis punctatus</i> |

Case (1990) reported 52 species of mammals in Lancaster County. At least 10 of these are unlikely to be found in found in Wilderness Park or upstream from there on Salt Creek, based on brief descriptions of ranges. Many if not all of the remaining 42 species are likely to occur within the Park boundary or nearby meadow and prairie habitats adjacent to or upstream from the Park in the Salt Creek drainage. These 42 species are:

Mammalian Species That Are Likely to Occur in Wilderness Park or Nearby Habitats

| Common Name | Scientific Name |
|--------------------------------|--|
| Virginia Opossum | Didelphidae <i>Didelphis virginiana</i> |
| Northern Short-tailed Shrew | <i>S. Blarina brevicauda</i> |
| Elliot's Short-tailed Shrew | <i>S. B. hylophaga</i> |
| Least Shrew | <i>S. Cryptotis parva</i> |
| Eastern Mole | Talpidae <i>Scalopus aquaticus</i> |
| Keen's Myotis | Vespertilionidae <i>Myotis septentrionalis</i> |
| Little Brown Myotis | <i>V. Myotis lucifugus</i> |
| Silver-haired Bat | <i>V. Lasionycteri noctivagans</i> |
| Big Brown Bat | <i>V. Eptesicus fuscus</i> |
| Red Bat | <i>V. Lasiurus borealis</i> |
| Hoary Bat | <i>V. Lasiurus cinereus</i> |
| Eastern Cottontail | Leporidae <i>Sylvilagus floridanus</i> |
| Black-tailed Jackrabbit | <i>L. Lepus californicus</i> |
| Woodchuck | Sciuridae <i>Marmota monax</i> |
| Franklin's Ground Squirrel | <i>S. Spermophilus franklinii</i> |
| Thirteen-lined Ground Squirrel | <i>S. S. tridecemlineatus</i> |
| Fox Squirrel | <i>S. Sciurus niger</i> |
| Plains Pocket Gopher | Geomyidae <i>Geomys bursarius</i> |
| Plains Pocket Mouse | Heterosyidae <i>Perognathus flavescens</i> |
| Hispid Pocket Mouse | <i>H. Chaetodipus hispidus</i> |
| Beaver | Castoridae <i>Castor canadensis</i> |
| Western Harvest Mouse | Cricetidae <i>Reithrodontomys megalotis</i> |
| Plains Harvest Mouse | <i>C. Reithrodontomys montanus</i> |
| White-footed Mouse | <i>C. Peromyscus leucopus</i> |
| Deer Mouse | <i>C. Peromyscus maniculatus</i> |
| Northern Grasshopper Mouse | <i>C. Onychomys leucogaster</i> |
| Prairie Vole | <i>C. Microtus ochrogaster</i> |
| Muskrat | <i>C. Ondatra zibethicus</i> |
| Southern Bog Lemming | <i>C. Synaptomys cooperi</i> |
| Meadow Jumping Mouse | Zapodidae <i>Zapus hudsonius</i> |
| Porcupine | Erethizontidae <i>Erethizon dorsatum</i> |
| Coyote | Canidae <i>Canis latrans</i> |
| Red Fox | <i>C. Vulpes vulpes</i> |
| Raccoon | Procyonidae <i>Procyon lotor</i> |
| Long-tailed Weasel | Mustelidae <i>Mustela frenata</i> |
| Least Weasel | <i>M. M. nivalis</i> |
| Mink | <i>M. M. vison</i> |
| Badger | <i>M. Taxidea taxus</i> |
| Eastern Spotted Skunk | <i>M. Spilogale putorius</i> |
| Striped Skunk | <i>M. Mephitis mephitis</i> |
| Bobcat | Felidae <i>Felis rufus</i> |
| White-tailed deer | Cervidae <i>Odocoileus virginianus</i> |

Fish species inventory is from Maret and Peters (1980) and was provided for specific reaches of Salt Creek by NGPC. Data is provided for the reach "above Roca" where 10 species were identified and from Roca to Nebraska Highway 2 Bypass where 19 species were found. While these data are from 1977 surveys, Steve Schainost, fishery biologist at NGPC and who conducted a Salt Creek inventory in the early 1970's, believed there was a good probability that the data is still sound.

Maret and Peters (1980) reported that the "most diverse fish fauna above Lincoln was at station 12, where 13 species were taken. This number of species is a reflection of a rather unaltered stretch of stream located in Wilderness Park." They reported that the largest number of species (15) downstream from Lincoln was at the farthest downstream station, near Ashland and the Platte River.

Fish Species Identified in Salt Creek Within and Above Wilderness Park

| Common Name | Scientific Name | Above Roca | Roca - Hwy 2 |
|--------------------|-------------------------------------|-------------------|---------------------|
| River Carpsucker | Catostomidae Carpiodes carpio | | X |
| Quillback | C.C. cyprinus | | X |
| Largemouth Bass | Centrarchidae Micropterus salmoides | X | X |
| Green Sunfish | C. Lepomis cyanellus | X | X |
| Bluegill | C. L. macrochirus | X* | X |
| White Crappie | C. Pornoxis annularis | | X |
| Black Crappie | C. P. nigromaculatus | | X |
| Common Carp | Cyprinidae Cyprinus carpio | X | X |
| Plains Minnow | C. Hybognathus placitus | | X |
| Golden Shiner | C. Notemigonus crysoleucas | X | |
| River Shiner | C. Notropis blennius | | X |
| Red Shiner | C. N. lutrensis | X | X |
| Sand Shiner | C. N. stramineus | X* | X |
| Flathead Minnow | C. Pimephales promelas | X | X |
| Creek Chub | C. Semotilus atromaculatus | | X |
| Black Bullhead | Ictaluridae Ictalurus melas | X | X |
| Yellow Bullhead | I. I. nalalis | | X |
| Channel Catfish | I. I. punctatus | X* | X |
| Stonecat | I. Noturus flavus | | X |
| White Perch | Percidae Morone americana | | X |

* - Not identified by Maret and Peters (1980) but found by Bliss and Schainost (1973).

The only endangered species that would likely be affected by changes in Wilderness Park is the salt creek tiger beetle. This species does not occur in the drainage in or south of the Park but since it is dependent on habitat that lies within the downstream channel and in associated saline wetlands and tributaries, degradation of water quality or major flow changes within Wilderness Park could affect the species' survival.

It should be recognized that healthy aquatic and terrestrial populations of invertebrates are critical to the maintenance of wild animal populations. Beyond being at the base of the food chain for resident and breeding fish and wildlife, they provide

important components of migratory bird diets and function as the primary pollinators of flowering plants which form the food base of many other animals.

The Friends of Wilderness Park have compiled a formal list of bird species found in the Park which consists of 191 species. Species range from cormorants to falcons, plovers to owls and gulls to warblers. This list is available on request.

References

Bliss, Q.P. and S. Schainost. 1973. Lower Platte Basin stream inventory report. Nebraska Game and Parks Comm. Lincoln. 63 pp.

Case, R. 1990. Lancaster County Wildlife Inventory. A separately printed Appendix to Historic and Ecological Resources Survey, Lincoln-Lancaster County Ecological Advisory Committee. 32 pp.

Lincoln-Lancaster County Ecological Advisory Committee. 1985 (revised 1990). Historic and Ecological Resources Survey. 106 pp.

Maret, T.R. and E.J. Peters. 1980. The Fishes of Salt Creek Basin, Nebraska. Trans. NE Acad. Sci., VIII: 34-54.

Nebraska Game and Parks Commission. 1999. Recommendation to designate the Salt creek tiger beetle as endangered. NE Game and Parks Comm. web site bighorn.ngpc.state.ne.us/TandE/Salt_Creek_Tiger_Beetle.htm. 4 pp.

Buffer Zones at Wilderness Park
Lancaster County, Nebraska
P. Joe Gabig
4835 Knox ST, Lincoln 68504
January 2000

A buffer or buffer zone cushions or reduces the effect of an action or component of the environment on another component of the environment.

Buffers can be created by distance, vegetation, technology, physical barriers or regulations that limit activities.

Buffers might be used to control or reduce the effects of light, disturbance, noise, pollutants (run-off) or floods.

These factors might affect plants, animals, water quality and quantity or recreation.

Buffers can influence events which can affect the environment at all levels including individual animals, populations, communities of animals and plants and ecosystems. Affects can be incremental over time or instantaneous. There can be different effects depending on the frequency and duration of an event or the season (e.g., breeding or winter) in which it occurs. Events can affect interspecific and intraspecific interactions and can affect survival and reproductive parameters. They can change the environment from including an "interior" area to only including "edge" habitats.

The extent and selection of buffer type is dependent on the management objectives of the area to be protected from external events. Different actions (buffers) would need to be taken if the management objective was to maintain a certain level of biodiversity than if the objective was a certain biomass or number of concomitant species (those often associated with human developments such as raccoon, skunks, crows, blue jays and starlings). Objectives such as reducing pollutants in a run-off event and shading a stream to reduce water temperature would require different buffers. A buffer to protect a great blue heron rookery might include components of reducing human activity within a certain radius, certain noises and light "pollution."

All actions that install buffers should be associated with measurable objectives so an Adaptive Resource Management approach can be implemented. This approach requires a "learning" environment with periodic and/or regular monitoring to see if objectives are being met and modifications of actions where needed.

While management of land, land use and vegetation within Wilderness Park should include management of buffers, the management of land, land use and vegetation beyond the park boundary plays an important role in the values provided by the Park. Management of these lands and the extent of that management can be selected based on measurable objectives and can be controlled through zoning regulations, easements or purchase.

There will be no general application of buffer methodology for Wilderness Park. What may be required or desired where the Park abuts US Highway 77 will be much different than where the Park boundary abuts potential commercial development sites which in turn will be much different than what is required throughout the watershed upstream from the Park.

References for "Buffers"
Prepared for Friends of Wilderness Park
by P. Joe Gabig
(With much assistance from Barb Voeltz - Nebraska Game and Parks Commission)
January 2000

- Adams, L.W. and L.E. Dove. 1989. Wildlife Reserves and Corridors in the Urban Environment. A Guide to Ecological Landscape Planning and resource Conservation. Natl. Instit. for Urban Wildl. 91pp.
- Belt, George H. and Jay O'Laughlin. Buffer strip design for protecting water quality and fish habitat. West. J. Appl. For.; 9(2):41-45. 1994. FR 39(3)
- Camp, R.J., D.T. Sinton and R.L. Knight. Viewsheds: a complementary management approach to buffer zones. Wildl. Soc. Bull: 25(3): 612-615. 1997
- Carlson B A; McLean E B Buffer zones and disturbance types as predictors of fledging success in great blue herons, *Ardea herodias*. Colonial Waterbirds; 19(1): 124-127, 1996. Burke, Vincent J.; Gibbons, J. Whitfield Terrestrial buffer zones and wetland conservation: a case study of freshwater turtles in a Carolina bay. Conserv. Biol.; 9(6):1365-1369. 1995.
- Davis B N K; Frost A J; Brown M J Buffer zones from insecticide spray drift, and the effect of hedges. ITE Report; 1991/92: 50-52, 1992.
- Davis B N K; Williams C T Buffer zone widths for honeybees from ground and aerial spraying of insecticides. Environ. Pollut.; 63: 247-259, 1990.
- Everett, Richard L.; Paul F. Hessburg and Terry R. Lillybridge. Emphasis areas as an alternative to buffer zones and reserved areas in the conservation of biodiversity and ecosystem processes. J. Sustain. For.; 2(3/4):283-292. 1994. WR 248
- Gilliam, J. W. and R. W. Skaggs. Natural buffer areas and drainage control to remove pollutants from agricultural drainage water. Assoc. State Wetland Manage. Tech. Rep.; No. 3. p. 145-148. 1988. WR 216
- Hager, J.C. Influence of riparian buffer width on bird assemblages in western Oregon. J. Wildl. Mgmt. 63(2): 484-496. 1999
- Jongman, R.H.G.; Troumbis, A.Y. (Eds) The wider landscape for nature conservation, ecological corridors and buffer zones: MN2.7 sub-project report 1995 submitted to the European Topic Centre on Nature Conservation in fulfillment of the 1995 work programme. Draft. Tilburg, The Netherlands: ECNC, 1995. var. pp.
- Joslin, G. and H. Youmans, Coordinators. 1999. Effects of recreation on Rocky Mountain wildlife: A Review for Montana. Committee on Effects of Recreation on Wildlife, Montana Chapter, The Wildlife Society. 307 pp.
- Machtans, C.S., M. Villard and S.J. Hannon. Use of riparian buffer strips as movement corridors by forest birds. Conserv. Biol.; 10(5): 1366-1379. 1996
- Meiklejohn, B.A and J.W. Hughes. Bird communities in riparian buffer strips on industrial forests. Am. Midl. Nat. 141(1): 172-184. 1999
- Newbold, J. D.; D. C. Erman and K. B. Roby. Effects of logging on macroinvertebrates in streams with and without buffer strips. Can. J. Fish. Aquatic Sci.; 37(7):1076-1085. July 1980. SFA 25(4)
- Nieswand, George H.; Robert M. Hordon; Theodore B. Shelton; Budd B. Chavooshian and Steven Blarr. Buffer strips to protect water supply reservoirs: a model and recommendations. Water Resour. Bull.; 26(6):959-966. 1990. FR 36(2) Fitzpatrick, C.

- The use of buffer strips in controlling agricultural runoff. Stream Protection - The Management of Rivers for Instream Uses. Ian C. Campbell, editor.; p. 75-84. 1986. FR 35(1)
- O'Connell, Margaret A. Hallett, James G.; Horst, G. R. [comp] [ed] Bat responses to riparian buffer strips in managed forests. Bat Res. News; 40(3):97. 1999. ("Abstracts on Bat-related Presentations at the American Society of Mammalogists 79th Annual Meeting in Seattle, Washington, June 20 to 24, 1999" Horst, G. R. [comp]). abstract only.
- Osborne, Lewis L. and David A. Kovacic Riparian vegetated buffer strips in water-quality restoration and stream management. Freshwater Biol.; 29(2):243-258. 1993. FR 38(3)
- Rabeni, Charles F. and Martin A. Smale Effects of siltation on stream fishes and the potential mitigating role of the buffering riparian zone. The Importance of Aquatic-Terrestrial Ecotones for Freshwater Fish: Results of a Mid-Term Meeting of FLIWE, Held in Lunz, Austria, August 31-September 2, 1992. F. Schiemer, M. Zalewski, and J. E. Thorpe, editors. Hydrobiologia; 303(1-3):211-219. 1995. FR 40(4)
- Richardson, C.T. and C.K. Miller. Recommendations for protecting raptors from human disturbance: a review. Wildl. Soc. Bull.; 25(3): 634-638. 1997
- Semlitsch, Raymond D. Biological delineation of terrestrial buffer zones for pond-breeding salamanders. [Delineacion biologica de zonas terrestres de amortiguamiento para salamandras con reproduccion en charcas.] Conserv. Biol.; 12(5):1113-1119. 1998.
- Spellerberg, Ian F. Ecological effects of roads and traffic: a literature review. Global Ecol. Biogeogr. Lett.; 7(5):317-333. 1998.
- Vander, H., W. Matthew and R.M. Degraaf. Predation on artificial nests in forested riparian buffer strips. J. Wildl. Mgmt.; 60(3): 542-550. 1996
- Wells, M.; Brandon, K. People and Parks: Linking protected area management with local communities. Washington, DC, USA: World Bank, 1992. xii + 99pp. ISBN: 0 8213 2053 X
- Wells, Michael P. and Katrina E. Brandon the principles and practice of buffer zones and local participation in biodiversity conservation. Ambio; 22(2-3):157-162. 1993. WR 237
- Wit, P. Buffer zones, wetlands and community management. World Conservation (IUCN) Canada No.3 pp 11-14, 1997



LANCASTER COUNTY FAIR

P.O. Box 29167, Lincoln, NE 68529 ~ (402) 441-6545 ~ Fax: (402) 441-6046 ~ lecenter@alltel.net

To: City – County Planning Commission

March 13, 2002

From: Lancaster County Agricultural Society

Charles Willnerd, President (402-423-6161 or 402-430-9049)

Request: Designate part of the Southeast corner of 84th and Havelock Avenue as Commercial Use in the Comprehensive Plan update.

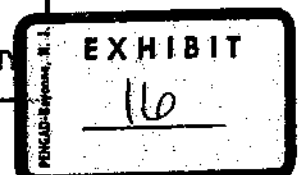
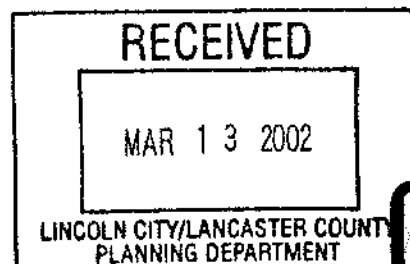
Current Designation: Public – Semi-Public

Current Use: The site of the Lancaster Event Center and Lancaster County Fair. The Lancaster County Agricultural Society is a political sub-division, created by State Statute and funded through the County Board of Commissioners. Venues are public in nature for education, entertainment and recreation.

Reasons for Request: Commercial designation would allow for future leasing of 3-5 pad sites for businesses that would complement the current use of the property.

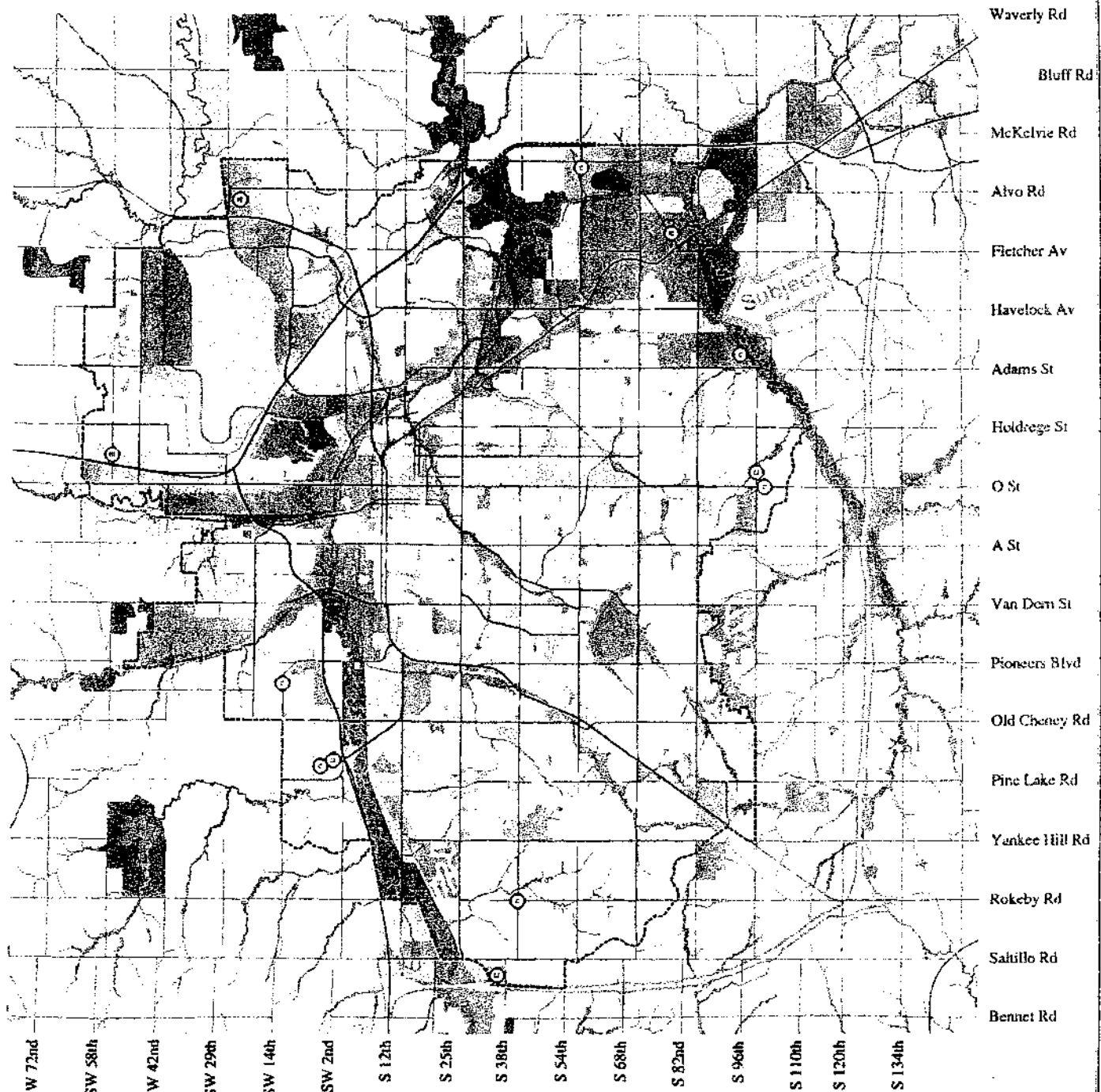
- Compatible use would be:
 - Motel
 - Retail clothes and accessories
 - Food establishment
- The lease income would help self-sustain the Lancaster Event Center and thereby relieve the county taxpayer.
- Other commercial and industrial designations are adjoining and nearby.
- Infrastructure for water, sewer, electricity and access are in place or available.
- The future use of the site was part of the LCAS Building Committee recommendations in the master plan.

Thank you for your consideration.



LINCOLN AREA DETAIL

FROM LINCOLN / LANCASTER COUNTY LAND USE PLAN



LEGEND

- | | | | |
|--|--------------------------|--|---|
| | Residential, Urban | | Lakes & Streams |
| | Residential, Low Density | | Environmental Resources |
| | Commercial | | Agricultural |
| | Industrial | | Agricultural Stream Corridor |
| | Green Space | | Future Service Limit |
| | Public and Semi-Public | | New Proposed Comm or Indus Center (Not Site Specific) |

WORK IN PROGRESS (2.0.2)

The location of each land use designation is generalized. The appropriateness of a particular zoning district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. Please consult other sources for exact locations of environmental resources such as wetlands, native prairie and floodplain. Not all of these resources are displayed on this figure.

The incorporated town plans are displayed on this figure. In many circumstances the land use categories in the town plans were different from the categories used in the Lincoln / Lancaster County Plan, so some adjustments were made for the purposes of this display. These communities and their specific adopted plans should be consulted as the source for decisions within their zoning jurisdictions.



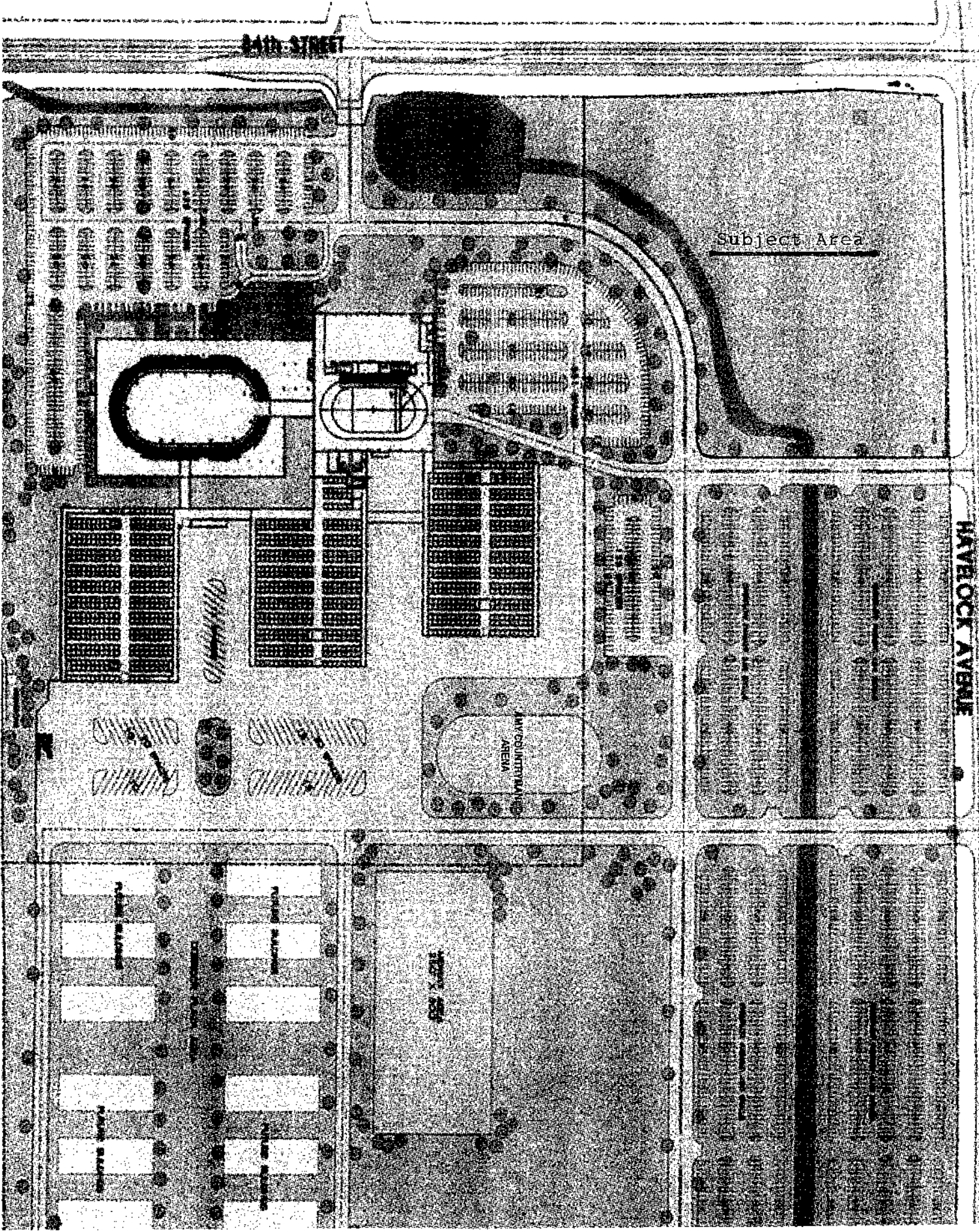
RAIN STREET

Subject Area

HAYDOCK AVENUE

INVESTMENT AREA

REAR YARD



Comprehensive Plan Update
Comments to the Mobility and Transportation chapter
March 13, 2002

Lyn Kathlene, Ph.D.,
Community Services Implementation Plan Transportation (C-SIP) co-chair
Associate Professor of Political Science, UNL

I. Introduction

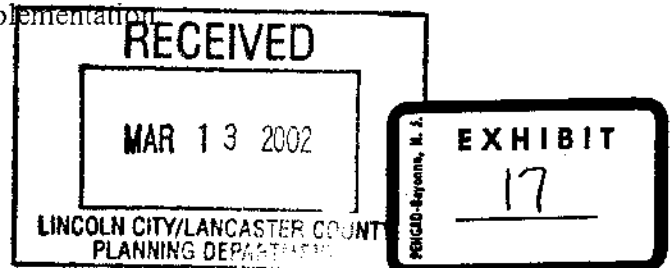
In order to effectively and efficiently respond to transportation needs and challenges of the community, we need a transportation system that is integrated and accessible to all citizens of the county. We forget that fully half of the residents in the city are not able to drive. Who are these people?

- They are the elderly, who are unable to drive, or they should not be driving but they have no choice because of the lack of reasonable alternative transportation.
- They are the physically and mentally challenged who simply cannot drive.
- They are the poor households that cannot afford and should not have to use scarce household resources to own a private automobile in order to access jobs, services, and education.
- They are the new immigrant residents, many of whom come from countries where private automobile ownership is not the norm and therefore do not know how to drive nor may have the household resources to acquire the skills and buy a car.
- And finally, they are all of our children. There are many activities that children cannot get to because this is not a walkable or bikeable city. We do not have a transit system that parents themselves use and therefore they do not even consider it as a transportation option for their children and teens. We do not have well-designed and safe commuting bike routes that lead to destinations of use (as opposed to recreation trails) or the under/overpasses at wide, heavily trafficked streets to safely separate kids who are walking or biking from the very real dangers of automobiles.

We have created an exclusive, inequitable, inaccessible and expensive system that privileges the half of the population that are automobile drivers. To the extent that we have sidewalks, bike paths, and a transit system, these components are add-ons that have not been conceptualized and implemented as part of an integrated, comprehensive multi-modal system.

II. Concerns/Disparities/Inequities/Contradictions in Transportation chapter of the Comprehensive Plan, 2002

1. The pedestrian/bike/transit improvements are not specified but the roadway improvements are projects lined up waiting for implementation.



2. The inventory and identification phase of projects for ped/bike/transit do not have timelines listed nor is there any clear indicator of who would undertake this work. Moreover, who is going to be responsible for the education component? The plan should call for a **Director and an office of Multi-modal Transportation** or some such title. We have more than our fair share of civil engineers, directors, etc. overseeing the expansion of the roadways.

3. The pedestrian/bike/transit objectives are not mandates but guiding principles. All new roadways, and redevelopment of roadways MUST include ped/bike/transit. At a minimum, major travel corridors should be identified and designated to be multi-modal and retrofitted to meet all four modes' needs.

4. The roadway section and its projects are practically mute on the topic of multiple modes, except for the beltway corridor's 1,320 feet right of way that will "allow greater flexibility for the facilities' design [and] allow the multi-use corridors outside the roadway to vary in width." 1,320 feet? This is extraordinarily wide and someday it will not be on the outskirts of the city but rather will divide neighborhoods.

5. Antelope Valley's transportation system should be in-synch with the updated comp plan. As I read the plan, the disruption of existing neighborhoods is to be kept at a minimum with respect to roadway expansion. A 4 - 6 lane plus double turn left lanes is not compatible with the core of the city. Antelope Valley needs to be reconsidered in terms of meeting the Comp Plan vision, goals, and objectives.

6. I-80 six lanes from Omaha to Grand Island is only needed insofar as both Omaha and Lincoln have cities that are completely incompatible with alternative modes of transportation. That money could be spent on light rail. Portland, Oregon, uses its light rail development to "drive" compact development in undeveloped corridors. If you expand the interstate, auto-dominated sprawl development will follow. If you put in public transit, human-scale compact development will follow.

7. You cannot simultaneously expand downtown parking and improve alternative modes including an increase in transit rider ship. There are many incompatibilities in this plan. Just because it is politically palatable to give everyone what they want does not a comprehensive plan make. Develop a vision, the goals, objectives and then projects that follow from it. There is a lot of good rhetoric in this plan but little in projects that will make it a reality.

8. The Level of Service (LOS) developed for pedestrian facilities is excellent. Now it should be used to judge the various roadway improvements. How does the LOS of street crossing of 6+2 turn lanes meet an acceptable LOS for pedestrians?

9. Why are only "Pedestrian Districts" given "Extremely Important" ratings for directness, continuity, street crossings, visual interest and amenity, and security? Are we to believe that Schools and Parks, Public Facilities should not also have the highest pedestrian standards applied? Unless we have HIGH ratings between facilities, people will not want to walk to these facilities. They are, to a certain extent, forced to walk once in the area (there is a limit to how close you can get your car to any given destination), so

what's the point? They will walk no matter what. Isn't the point to make it a pedestrian friendly city -- not a city of isolated pedestrian friendly destinations?

10. Bike and pedestrian facilities should not have to look for new funding sources. It is possible and sensible to REALLOCATE from the roadway budget. A viable transit system within the core will make expansions unnecessary. Moreover, a recent report from the Surface Transportation Policy Project found that cities that expanded their roads to address congestion **had more, not less** congestion, than those who chose not to expand their roads. Investment in alternative modes and compact sustainable development is the only answer to automobile traffic congestion.

11. The strategy of coordinating special needs demand responsive transit is also one of the recommendations C-SIP has made. However, within the Comp Plan, the statement should be bolder. It is insufficient to say "This may include the potential coordination of such services." Get rid of "may" and "potential." It should read: "This **will** include the coordination of such services to be determined through a planning process with stakeholders, including clients, agencies, and StarTran."

III. Conclusion

The real challenge in creating an efficient, equitable, and comprehensive transportation system is not the need for new money as much as it is the need for political leadership that can envision and articulate a future that is **accessible to all of its residents and oriented toward people instead of cars**. We are at a critical juncture in our development and growth. Lincoln can either choose the path less taken and reap the benefits of other visionary cities or Lincoln can follow in the footsteps of most cities with little to differentiate itself from the pack, which includes endorsing low density sprawl that not only will result in increasing roadway congestion but increasingly harm our environmental resources (be that Wilderness Park, Stevens Creek, and air and noise pollution) and continue to segregate the city based upon income and the social and economic ills that come from that type of urban/suburbanization. **A city that serves the needs of its most vulnerable residents is not only a humane city; it is a highly livable and economically viable city for all its residents.**

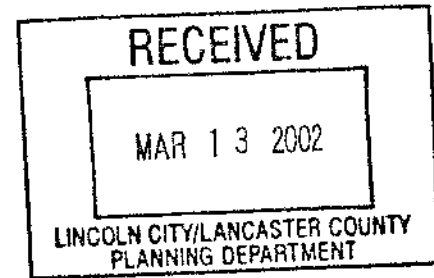


Great Plains Trails Network

GPTN
5000 N 7th St.
Lincoln, NE 68521
www.gptn.org

March 13, 2002

The Honorable Greg Schwinn
Chair
The Lincoln City/Lancaster County Planning Commission
555 S 10th St.
Lincoln, NE 68508



RE: Adoption of the February 6, 2002 draft of the
Lincoln City-Lancaster County Comprehensive Plan
Mayor's Pedestrian/Bicycle Advisory Committee Revisions

Dear Sir and Members of the Commission:

The Great Plains Trails Network, acting through its Board of Directors, supports adoption of the recommendations of the Mayor's Pedestrian/Bicycle Advisory Committee for revisions (Revisions) to the proposed Comprehensive Plan and adoption of such revised Plan. The Revisions are set forth in a Memorandum dated March 12, 2002 to this Commission.

The Revisions define a natural and cohesive plan for continued development of a functional trail system and identify multipurpose resources within the region for appropriate and compatible open space uses. They provide a process for improvement of weaknesses within the current system, particularly Downtown. The Salt Valley Heritage Greenway and Trails Framework Map and Bicycle and Trails Standards are important guides for future development. With utilization of drainage ways, rail corridors, plat phase dedications and development phase grading, these provisions incorporate trail considerations early and efficiently throughout the growth process.

Experience with several projects has demonstrated trail development will benefit from pre-engineering efforts. The cost, difficulty and complexity of issues is different if this use is accommodated during transitions to residential and commercial use. Absent reserved greenway or rail corridors, it is challenging and expensive to design and assemble properties which are typically adjacent to competing or incompatible uses. Early identification allows preconstruction planning for below, at grade and lighted crossings when other road design occurs. Integrating the design of each system produces enhanced traffic and trail environments at least expense. The Framework Map locates primary trail routes within existing drainage ways producing an excellent pairing of natural corridors with



transportation needs. Trail and related park use can occur within these areas without displacing intensive development or adversely disrupting drainage functions. Sensitive environmental features may coexist with appropriate gateways to regional recreational space. The trails within the framework connect to the urban system and each other via the Salt Valley Heritage Greenway. Within the City, the heaviest traffic occurs on trails which link to other trails. By planning for these connections, the Framework Map fosters increased use and safer movement between routes.

Our trail system is a consistently popular community resource and increasingly important facility for safe mobility between homes, workplaces, schools, retail and entertainment areas. Lincoln's trail development is one of the great attributes that make it an attractive community in which to live. It is the result of strong and successful public-private partnerships. The generosity of many volunteers and private donors coming together through GPTN has provided a critical part of the necessary financial commitment. Consideration of additional measures to provide financial resources for park and trail development will be necessary to realize the goals of the Plan. Those goals are important to residents throughout our neighborhoods.

Currently, more than 850 families, businesses and individuals hold active paid memberships in GPTN. Your attention to and consideration of these issues is appreciated by this group.

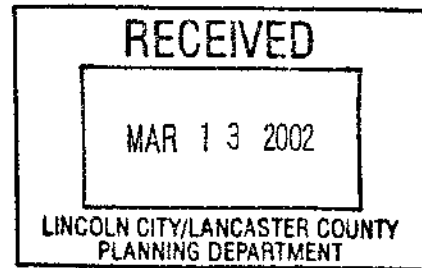
Sincerely,

Nancy L. Loftis
President
Great Plains Trails Network

Board Members

| | | |
|------------------|------------------|----------------|
| David Scoby | Mark Stark | Peggy Volker |
| Ken Volker | Bob Torrell | Carol Rogers |
| Michael Sweet | Scott Wieskamp | Curt Donaldson |
| Rich Rodenburg | Ross Greathouse | Tom Winter |
| VT Miller | Mary Amen | Michael Sweet |
| Marynelle Greene | Molly Hoffmann | Beth Thacker |
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| Nancy Loftis | Stephanie Berg | Jolanda Junge |
| Rich Rodenburg | Rose Quackenbush | Nicole Narboni |
| Mary Torrell | | |

Testimony of Bruce Bohrer
Lincoln Chamber of Commerce
3/13/02 Planning Commission Meeting



The Lincoln Chamber of Commerce has been involved from the beginning in the process of committee and subcommittee hearings and meetings that have taken place over the past year, finally culminating in the recommended Comprehensive Plan that is now before the Planning Commission.

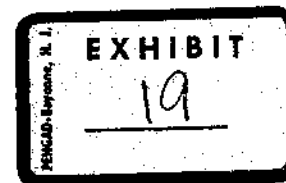
The Chamber recognizes and appreciates the countless hours of study and thoughtful debate that community members, CPC members, and the Planning Department staff have devoted to the effort of developing a plan to guide development of our community. A few of the members of the committee appointed by Mayor Wesely have extensive business and development experience, and the Chamber is always grateful for any level of inclusion that is permitted to individuals primarily concerned about maintaining the economic health of our community.

We recognize also that commercial interests are but one among many interests that are considered as the community decides its future. We affirm that expanding economic opportunities is a priority for our organization, and further urge Planning Commissioners to be our "partners" in this endeavor. We firmly believe that it is not necessary to pit new growth against the built environment, commercial against environmental concerns, or "core" vs. the rest of the city. The Lincoln Chamber believes that the plan's promise of a "one community" vision is attainable.

The Lincoln Chamber of Commerce supports the economic development component that is included within the proposed plan for the first time. LPED and Chamber representatives were involved in the Economic Futures Task Force that developed this portion of the plan. We originally had pressed for a higher population growth rate than what has been included in the plan. An alternative creative solution - the benchmark indicators - was developed and included within this plan. The Lincoln Chamber also is on record supporting the 2% percent and 2.5% growth rates for Commercial and Industrial growth.

I would urge the Commission members to tackle the remaining issues that were included in the minority report. From the comments that I've received from business people that have received briefings on this plan from the Planning Department, there still is a great deal of concern as to whether enough land is included within Tier I. The Chamber also would urge more study and analysis of the priority phasing maps for infrastructure. The Chamber of Commerce would hope that the Commission would be very sensitive to the regulatory impacts of the plan. In dealing with companies and individuals considering expanding into the Lincoln market, the issue of time-consuming regulations is often mentioned. I believe we can approach this issue in a positive way and find a solution that serves both the interests of the regulators and economic growth.

In closing, the Lincoln Chamber of Commerce believes that overall this plan is a reasonable effort that takes on many of the challenging issues of balancing the myriad interests and values of the community. The Lincoln Chamber also believes that it could be improved through further study and resolution of the remaining issues identified in the minority report. We are committed to helping to resolve these issues.



March 13, 2002

Chairperson and Members of the Planning Commission:

My name is Ken Reitan and I live at 2310 South Canterbury Lane. I'd like to commend the Comprehensive Plan committee for the fine work that they have done. Much of the chapter on Environmental Resources was well done. I strongly support things like the extension of Wilderness Park to the south, the Salt Valley Heritage Greenway, proposals for buffers, agricultural stream corridors and protection of wetlands and prairies. However, I must respectfully disagree with their decision to leave the Yankee Hill Road over Wilderness Park as a study item. First off, it would not be a fiscally sound decision to build this project. Secondly, I don't think the public will support this project.

I've attended several of the Comp Plan committee meetings, so I've heard some of the dollar estimates for the street and road improvement plan through 2025. Let me quickly go through some of them:

- On January 11th, Public Works briefed the Committee that estimated costs were \$1.471 billion; estimated revenues were \$873 million; leaving a \$544 million shortfall--except when you subtract 873 from 1471, the difference is \$598 million.

- On January 18th, it was determined that an error had been made, and that the \$544 million shortfall figure was correct.

- On January 24th, Public Works said that they had recalculate the right-of-way costs, lowering overall estimated costs and producing a revised shortfall of \$346 million, a reduction of \$198 million. Several days later, Public Works Director Abbott explained that this was not an error; that they had reduced costs by recalculating right-of-way costs utilizing lower agricultural land prices.

- On February 6th, the draft comprehensive plan showed estimated costs of \$1.446 billion, estimated revenues of \$1.100 billion, with the shortfall remaining at \$346 million.

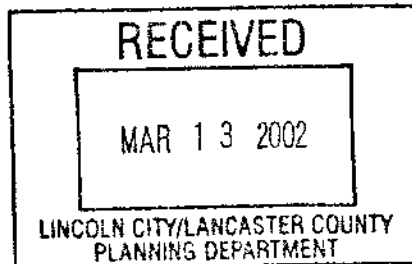
In review, the \$598 million shortfall became \$544 million because of an error, and the \$544 million shortfall became \$346 million first because of \$198 million in decreased costs, then because of \$25 million in decreased costs and \$227 million in unexplained increased revenues. The fact that Public Works has difficulty producing consistent figures is cause for concern, but no matter which set of figures is used, the proposal to extend Yankee Hill Road is in the plan "for study", so its estimated cost of \$45 million and the cost of an additional study is not included in the estimated shortfall.

In addition, the cost of a full study of environmental impact may be too conservative, according to National Park Service figures. Also, according to Public Works, front-loading the purchase of right-of-way would result in the delay of construction on other projects due to annual budget limitations, to say nothing about the difficulty of getting land for agricultural prices. Finally, there is the possibility of litigation costs to fight lawsuits.

EXHIBIT

20

The bottom line is that we cannot afford what is already on the list of roads to be built, so why add an expensive study and a project of questionable value to that deficit.



#20

602 N 112th St
Lincoln, NE 68527
March 13, 2002

Members of the Planning Commission:

My name is Marge Davenport. I own and live on 130 acres East of Lincoln. Stevens Creek flows through the middle of my property. My Great Grandfather homesteaded this property in 1869. Five generations have worked the land and struggled to keep the property.

We are currently in negotiations with the NRD who wants an easement of 110 acres of my 130 acres. The by-pass is boarding the property on the East, "O" street is expanding to four lanes on the South, 112th street will widen and be paved and a bike trail is proposed for the middle of the property to run along Stevens Creek. What property does that leave for me the landowner?

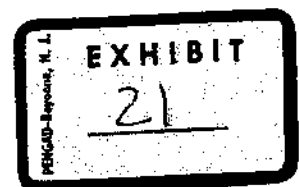
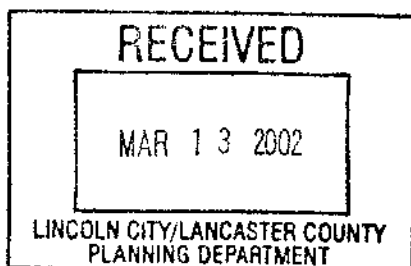
Have you considered the wants and needs of the landowner? Why should the landowner be forced into selling or having easements put on their property?

In closing, I do not want to share my property that is my heritage, with anyone else. Please have consideration for the landowner that is not interested in getting rich off the sale of the property but would rather enjoy the beauty of the land they and their forefathers have worked for.

Thank you for your time.

Sincerely,

Marge Davenport
Marge Davenport



Sonja Krauter
240 E. Cherrywood,
Lincoln, NE 685

Planning Commission – Comprehensive Plan

March 13, 2002

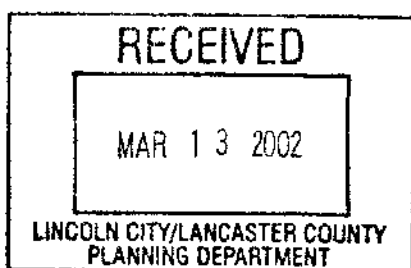
My name is Sonja Krauter. Along with my sisters Karen Feldhousen and Mary Schwabauer, we own our 100 year old family farm located at 123rd & O street in the Stevens Creek Basin.

We have 156 acres, of which approximately 5 acres are power line easements, 80 acres, which we are currently in negotiations, with the Natural Resource District for conservation easements, and approximately 30 acres for a future proposed East Beltway. There is talk of future utility easements running along Stevens Creek and future widening of "O" street (highway 34) to 4 lanes.

Now the Comprehensive Plan indicates future green space with parks and trails along Stevens Creek, through our property.

With the current easement restrictions, limiting what we can do on our own property, and the proposed Comprehensive Plan restrictions to our land, we still pay full property taxes. What was 100 years ago, 156 acres, has now and will be, by the proposed Comprehensive Plan, reduced by approximately three fourths to 41 acres. It truly makes us wonder about the term private landowner.

It is our sincere hope as the final decision on the Comprehensive Plan is made, we as landowners will be respected and continue to have the **rights** of private landowners.



To: City-County Planning Commission

From: Gary L. Hellerich

I have had the opportunity to review the Work in Progress City-County Comprehensive Plan. I can see that many hours of thoughtful work were spent in developing this plan. I and my wife, Ellen, own farm land in the northern and western parts of Lancaster County. I am engaged in farming and my wife is in education field.

I have a comment to make regarding the Guiding Principles for Rural Areas section which is located on pages



F71 thru F74. Basically you have designated the north $\frac{1}{2}$ of Lancaster County for a very low density housing. I believe that is a wrong designation. We need to have the same designation throughout the county.

You site lack of a water district as one of your reasons. Water districts are a result of actions of people who feel they have a need for this type of service. I am sure the people in the northern half of the county can implement a water district if it is needed. You also site a low frequency of

paved roads as a reason. This is a plan for the future. If paved roads are needed, I am sure the people are capable of getting funds to be directed by the county to pave the roads.

I want to assure you the people in the northern and western parts of Lancaster county are just as capable as the people of eastern and southern Lancaster at securing water and paving roads. This is a plan for the future, you must treat all rural areas in a like manner for housing density.

Thank you.

Bill Siefert
March 13, 2002

Comments regarding p.77 of Review Draft—Independent study regarding acreage, commercial/ industrial and agricultural land uses

- A. Strongly support study and its use as guide to better manage land use policy
 - 1. Studies by Penn State and American Farmland Trust
 - 2. Acreages add valuation to a particular parcel of land but demand more in services than the tax revenue generated
 - 3. Better manage land use policy so that acreages pay their fair share and do not “siphon off” development from Lincoln and small towns
 - 4. Which land use policies are most effective? Manage land use policy for tax efficiency.
- B. Strongly encourage development in small towns
 - 1. Increase their infrastructure efficiency
 - 2. Discourage siphoning development and leave small towns to wither
- C. Focus on the long term impact of land use policy
 - 1. Short term development pressures may not necessarily be a long term Pattern.
 - 2. Acreages are popular now but 15-20 years ago they were lemons
 - 3. Recognize acreage growth is result of low interest rates, low energy prices, and higher infrastructure costs for Lincoln and small towns.
 - 4. What if interest rates increase 2-5%, energy prices double and the economy softens? What if all three happen at once? Can the county (and Lincoln and the small towns) afford to maintain needed infrastructure?
- D. Develop clear acreage policy without inherent conflicts
 - 1. Acreage development vs. small towns—which has priority?
 - 2. Acreage development vs. agricultural land uses—which has priority and does “right to farm” really have priority over acreage development?
 - 3. Manage land use policy for long-term tax efficiency. Make the public Aware of the costs of acreage growth and manage accordingly.

